

am



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,395	04/11/2001	Toshiyuki Kori	43890-477	5717
20277	7590	06/29/2006	EXAMINER	
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/744,395	Applicant(s) KORI ET AL.	
	Examiner Vincent F. Boccio	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 13-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/24/05 (corrected)</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2621.

Response to Arguments

1. Applicant's arguments filed 4/11/06 against amended claim 1, have been fully considered but they are not persuasive.

(A) Applicant states, pages 5-6, "According to one embodiment of the invention, the switching control data includes instructions indicating which image outputting device may be used to deliver an output stream over a specified channel. At least this feature is not disclosed or suggested by Katta."

In response the examiner cannot locate claim language in claim 1, corresponding to the above stated differences, but channels are mentioned in claim 7.

The examiner cites Katta, page 13, col. 1, "IEEE 1394 is a bus ... channels are set ... image transmission system of this embodiment, plural channels are used. For each channel ... 96 bytes or more is set ... each image transmission apparatus uses the channel to transmit a packet of 96 bytes. The number of channels to be prepared is equal to the number of packets to be transmitted in each cycle time or more."

In view the cited section of Katta above the examiner deems that Katta does not just suggest, but anticipates IEEE 1394 and using channels to transfer data from the camera devices (one device met by Fig. 13, "110-1", referred to as an image transmission apparatus in view of transmitting from the image capture means 111-1).

(B) In re page 6, applicant states, "Katta does not disclose sending image switching control data for selecting and controlling a desired device from a plurality of image outputting devices, as claimed in claim 1."

Art Unit: 2621

In response the examiner had provided a detailed action addressing this limitation, such as.

"for selecting and controlling a desired device out or output (page 13, [0131], Fig. 20, "110 may cut out the image in the position according to the layout information from one image and transmit only the cut out image toward the transmission line 115")" and

"at arbitrary timing at which it can be transmitted, while the image receiving apparatus 112 may use storage means ... to generate one display image", also see Figs. 24 & 25 and corresponding disclosure.

It is noted that applicant had not even mentioned the Layout information as clearly provide from the primary examiner.

The examiner cites page 13, col. 1, [0131], which states, "110 may cut out", in accord to Fig. 13 is one of the IMAGE TRANSMISSION APPARATUSES, receiving layout information, dictating which device is being controlled to provide (see cut out).

Also the image conversion element 103 is also controlled with layout information from the image receiving apparatus and another control of the image transmission apparatus the delay 104, is also controlled by the layout.

Image transmission apparatuses, 110-1 or 111-2 or 111-3, are controlled devices, controlled from control point 112 image receiving apparatus having associated elements Display 113, Layout Information Generating means 114, with associated elements 121 & 122, which the layout is the means to control the image capture devices being a plurality, with the transmitted LAYOUT INFORMATION, transferred from 112 to image capture means 110-1, 111-1 and 111-3.

Further reference Fig. 1, camera 2, 3, 4, 5, to bus 8, as an illustration, receiving device Fig. 3, camera device Fig. 2, Fig. 13, shows details of control "LAYOUT INFORMATION", of receiving device 112.

Images from the device can be cut out, resized and moved on the screen based on Layout information received from 112, to control 110-1, 111-2, 111-3, controlling these elements including the DELAY means 104.

It is clear that the layout information, sends switching control data to control all the image transmission apparatuses to each individually (switching, conversion setting, delay setting and if an image is cut out or not, mode), all control from 112 Fig. 13 for example.

Art Unit: 2621

The rejection is maintained, based on argument not deemed persuasive.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Katta et al. (US 2004/0085447 A1).

Regarding claim 1 Katta et al. discloses and meets the limitations associated with

- an image switching device for switching a plurality of image outputting devices connected through a digital interface (Fig. 1, "8") and delivering the image signals

comprising:

- image switching control means for sending image switching control data (page 7, [0077], switching, data rate, switching composite image display types/layouts, "touch signal again and thereby sends the switching signal for switching the composite image", "image quality control signal", switches quality, etc.....);
- for selecting and controlling a selected desired device out or output (page 13, [0131], Fig. 20, "110 may cut out the image in the position according to the layout information from one image and transmit only the cut out image toward the transmission line 115");

Art Unit: 2621

- of the plurality of image devices (Fig. 20, "111-1, 2, 3", page 7, [0077], "image quality control signal ... camera nodes coding ... 6 Mbps ... camera node ... 14 Mbps ... other nodes ... 4 Mbps"),
- to the image outputting device side (see camera image display or an output, Fig. 3, "13", Fig. 4, 20, "113", Fig. 25 a-d, Fig. 26, etc.....),
- the image switching control data image selecting means for selecting and receiving the image signal transmitted from at least one of the image outputting device according to the image switching control data (page 7, "switching signal for switching" Fig. 25 a-d, etc.....; and
- synchronous signal transmitting mean (Fig. 27, "1513 & 1518) for transmitting a synchronous timing signal for synchronizing the image outputting devices.

Regarding claim 7, wherein the switcher control data of image outputting devices contains transmission channels and transmission command (Fig. 13, layout information from 114 to 115 to 110-1, 101) to specified image outputs (Fig. 20, [0131], "apparatus 110 may cut out the image in .. accord.. to the layout ... transmit only the cut out toward line 115", also [0140], [0129], channels and transfer of synchronization data).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35

Art Unit: 2621

U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 2, 4, 5/2, 5/4, 6, 8/2, 8/4, 9/2, 9/4, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katta et al. (US 2004/0085447 A1).

The examiner incorporates by reference the last action against the claims, since not amended.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Fax Information

Any response to this action should be faxed to:


(571) 273-8300, for communication as intended for entry,
this Central Fax Number as of 7/15/05

Art Unit: 2621

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
6/25/06


VINCENT BOCCIO
PRIMARY EXAMINER